



## PORTFOLIO HOLDER DECISION NOTICE

### INDIVIDUAL DECISION BY THE LEADER & PORTFOLIO HOLDER FOR HOUSING

#### TOPIC - GREEN PAPER - A NEW DEAL FOR SOCIAL HOUSING

#### PROCEDURAL INFORMATION

The Access to Information Procedure Rules – Part 4, Section 22 of the Council's Constitution provides for a decision to be made by an individual member of Cabinet.

In accordance with the Procedure Rules, the Head of Legal Services (Interim), the Chief Executive and the Strategic Director: Resources are consulted together with Chairman and Vice Chairman of The Overview and Scrutiny Committee and any other relevant overview and scrutiny committee. In addition, all Members are notified.

If five or more Members from those informed so request, the Leader may require the matter to be referred to Cabinet for determination.

#### Contact Officers:

**Case Officer:** Gillian Knight [gknight@winchester.gov.uk](mailto:gknight@winchester.gov.uk) 01962 848 577

**Democratic Services Officer:** Matthew Watson [mwatson@winchester.gov.uk](mailto:mwatson@winchester.gov.uk)  
01962 848 317

#### SUMMARY

On 14th August 2018, the Ministry of Housing Communities and Local Government published a social housing green paper – a new deal for social housing.

The paper is a consultation document that presents a set of 48 specific questions across five core themes.

- Ensuing homes are safe and decent
- Effective resolution of complaints
- Empowering residents and strengthening the regular
- Tackling stigma and celebrating thriving communities
- Expanding supply and supporting home ownership

The paper invites responses to be submitted by 6<sup>th</sup> November 2018.

There are a number of welcome proposals in the green paper and some of the highlights in the paper include:

- An announcement that the Government do not intend to implement the Higher Value Assets Levy and forced sale of higher value council housing.
- An announcement that the Government do not propose to implement the mandatory fixed-term tenancies (provisions of the Housing and Planning Act 2016) "at this time"; but this wording suggests that it may not be repealed.
- A strengthening of the role of the Social Housing Regulator and proposals for a set of performance indicators which would be reported to the Social Housing Regulator, who would publish them in a set of league tables.
- The canvassing of views on several proposals for reform of arrangements for handling residents' complaints, including statutory requirements on local authority complaints schemes, scrapping or shortening the waiting period before a complaint can be referred to the Housing Ombudsman, training for "designated persons", and raising residents' awareness of how to make and escalate complaints.
- A commitment to tackling the stigma attached to social housing, and proposals for a "best neighbourhood" competition and steps to improve the customer service and neighbourhood management provided by all social landlords.
- The potential re-introduction of stock transfer for council housing to "community led" housing associations, reform of the Right to Manage arrangements, or other measures, in giving tenants more choice and control over the services they receive.
- A question as to whether the Decent Homes Standard needs to be revised or updated in the light of Grenfell and other developments since 2006?
- The potential to introduce debt funding and longer term "strategic partnerships" to help housing associations develop affordable housing.
- The further promotion of shared ownership by allowing tenants to purchase as little as 1% share in their home.

### **Officer's key responses to the publication**

Strengthening of the social housing regulators role is right and proper as it is fair and appropriate that landlords should be accountable to their tenants for their performance.

As a high performing local landlord with 92% tenant satisfaction rates we welcome the introduction of league tables to provide best practice and continuous improvement opportunities across the sector.

We are committed as the largest social housing landlord in the Winchester district to play our part in tackling the stigmatisation of social housing by creating thriving and mixed communities through both TACT engagement and our ambitious New Homes Programme.

We are pleased the consultation includes exploring greater flexibilities on how local authorities can use the money they receive from Right to Buy (RTB) sales. Although this is positive news it should be recognised that with the high level of RTB discounts (maximum of 70% or £80,900) we will be hard pressed to do any more than deliver one for one replacement of council housing sold under the RTB scheme. (A separate PHD notice was recently circulated in relation to the governments RTB receipts consultation also published on 4<sup>th</sup> August 2018.)

We welcome the decision to abandon the proposed High Value Asset Levy and the forced sale of higher value social housing and believe it is right that the introduction of fixed term tenancies should continue to be a matter for local consideration and discretion.

When the governments green paper was initially published in August, it disappointingly favored and underpinned opportunities for housing associations to build new homes. However, on 3<sup>rd</sup> October 2018, the government announced that it will 'scrap' the HRA borrowing cap. This welcome news and will greatly support the Council to further expand our supply of council housing with a pathway into home ownership options through the already successful New Homes programme.

Draft responses to all of the specific 48 questions can be found at Appendix A.

### **Review of social housing regulation: call for evidence.**

Alongside the Green Paper, the Government also published a Call for Evidence which seeks views on how the regulatory framework is operating

<https://www.gov.uk/government/consultations/review-of-social-housing-regulation-call-for-evidence>.

The review starts from the basis that social housing should continue to be regulated in order to protect and empower residents; and to secure public and private investment in social housing.

It is eight years since the last review of regulation, and the Government needs to understand how the regulatory regime must change in order to deliver the objectives set out in the Green Paper. With the questions in the Green Paper, the Call for Evidence marks the start of an ongoing process of stakeholder engagement that will inform decisions on what change is needed and how that should be delivered.

As with the Green Paper, the Call for Evidence runs until 6 November. It comprises of 8 consultation questions and a draft response is attached at Appendix 2.

### **DECISION**

Approval to respond to the consultation invite by the Ministry of Housing Communities and Local Government in respect of the recently published social housing green paper – a new deal for social Housing. Alongside the review of social housing regulation: call for evidence.

**REASON FOR THE DECISION AND OTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

As an established social housing landlord for over 50 years it is important for Winchester City Council to respond and contribute to the government's consultation and debate about the future of social housing.

**RESOURCE IMPLICATIONS:**

No implications at this consultation stage.

**DATA PROTECTION IMPACT ASSESSMENT (If none, state "None required")**

None required at the consultation stage.

**CONSULTATION UNDERTAKEN ON THE DECISION**

Consultation on the proposed decision has been undertaken with the Portfolio Holder for Housing, Strategic Director - Services, Housing DMT members and TACT members.

All Winchester City Councillors have been consulted via the Decision Notice Process.

**FURTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED FOLLOWING PUBLICATION OF THE DRAFT PORTFOLIO HOLDER DECISION NOTICE**

Not applicable at the consultation stage.

**DECLARATION OF INTERESTS BY THE DECISION MAKER OR A MEMBER OR OFFICER CONSULTED**

NONE

**DISPENSATION GRANTED BY THE STANDARDS COMMITTEE**

N/A

Approved by: (signature)

Date of Decision 08/11/2018

**Councillor Horrill – Leader and Portfolio Holder for Housing.**

**APPENDICES:**

Appendix 1 - Draft responses to the social housing green paper – a new deal for social housing.

Appendix 2 – Draft responses to the review of social housing regulation: call for evidence

Appendix 1

**The social Housing Green Paper: A new deal for social housing (August 2018)**

<https://www.gov.uk/government/news/social-housing-green-paper-a-new-deal-for-social-housing>

**Ensuring homes are safe and decent**

1. *How can residents best be supported in this important role of working with landlords to ensure homes are safe? (para. 35)*

Landlords should publish their building/fire and other risk assessments which relate to property, and ensure all tenants can access them. They should regularly engage/consult with residents on all safety aspects concerning their homes.

Mandatory safety-related clauses in the tenancy agreement for both landlord and tenant would reinforce the commitment to resident safety.

Residents could also be provided with free access to a panel of building industry specialists to whom they could refer for independent /specialist technical advice.

2. *Should new safety measures in the private rented sector also apply to social housing? (para. 39)*

Proven safety measures should apply to both sectors.

However, some safety measures in the Green Paper have already been adopted by many social landlords. The Electrical Safety Roundtable\*, which comprises electrical safety representatives from UK social landlords, is currently drafting a code of practice specifically to increase electrical safety in social housing. It will be launched in January 2019, although the practices therein are already in place in Winchester.

\*<http://www.electricalsafetyroundtable.co.uk/>

3. *Are there any changes to what constitutes a Decent Home that we should consider? (para. 39)*

- Reduce kitchen age to 20 years for better standard of 'reasonable repair'
- Amend 'two or more' requirement in "reasonable repair" category to a single failure
- Specify minimum numbers of electrical sockets to address potential safety concerns
- Raise the bar/add more prescriptive standards for 'reasonable degree of thermal comfort' with higher minimum standards for insulation irrespective of heating type
- Specify a target EPC/SAP rating for decency as a milestone towards the 'C' required in 2030 (Clean Growth Strategy). This links to resident health, financial wellbeing and energy efficiency.

- Include new safety measures in the private rented sector to ensure they are measurable targets
- A home should not be defined as “decent” if either kitchen or bathroom are in very poor condition (i.e. irrespective of their ages).

4. *Do we need additional measures to make sure social homes are safe and decent?* (para. 39)

See response to question 3.

In addition, new criteria should be added to the Decent Homes Standard around the presence, type and age of smoke detectors and carbon monoxide alarms. E.g. a CO alarm should not be more than three years old.

### **Effective Resolution of complaints**

5. *Are there ways of strengthening the mediation opportunities available for landlords and residents to resolve disputes locally?* (para. 44)

A formal landlord complaint panel would be a means of resolving disputes, with resident, officer and member representation.

Landlords and tenants already work with partner agencies when mediating disputes. For example, Citizens Advice and mediation services operate locally.

6. *Should we reduce the eight week waiting period to four weeks, or should we remove the requirement for the “democratic filter” stage altogether?* (para. 48)

The eight week waiting period should be scrapped, with the option to proceed directly to the Housing Ombudsman once the landlord’s complaints procedure has been followed. The democratic filter could be retained as an optional stage only, or alternatively it could be replaced with a form of peer review process instead.

7. *What can we do to ensure that the “designated persons” are better able to promote local resolutions?* (para. 49)

By setting minimum standards for regularly updated formal training.

8. *How can we ensure that residents understand how best to escalate a complaint and seek redress?* (Para 51)

By requiring landlords to have a clear, simple, accessible and well-publicised complaints procedure, with published feedback through the landlord’s annual report. All complaints procedures should include signposting to agencies who can provide support and assistance.

A campaign to raise awareness would also help residents to understand their

landlord's complaints policy, and they should also be provided with this information at the start of their tenancy.

9. *How can we ensure that residents can access the right advice and support when making a complaint?* (para. 52)

See response to question 8.

10. *How can we best ensure that landlords' processes for dealing with complaints are fast and effective?* (Para. 53)

The Regulator should set and monitor minimum standards for landlords when dealing with complaints.

All staff should have training on their organisation's complaints procedure.

11. *How can we best ensure safety concerns are handled swiftly and effectively within the existing redress framework?* (para. 55)

- Consider 'whistleblowing'/safety hotline and web reporting
- Require that complaints procedures provide for fast tracking and/or direct to CEO when they are the subject of safety concerns
- Give residents access to landlord gas safety records, electrical installation condition reports, asbestos registers and fire risk assessments. This could be via an online portal
- Free access to third party expert advice/interpretation.

### **Empowering residents and strengthening the Regulator**

12. *Do the proposed key performance indicators cover the right areas? Are there any other areas that should be covered?* (para. 61)

All indicators will need consistent methodology to avoid misinterpretation. For example, how will "respectful and helpful" be measured?

Other indicators could address:

- Delivery of new homes
- Customer service – including a mandatory requirement for landlords to obtain resident feedback on the services they receive
- Value for money
- Complaints performance
- Health and safety

Many landlords already benchmark PI data voluntarily through organisations such as HouseMark. A similar system/Pis could be developed which would have the added advantage of preventing unnecessary duplication for landlords and enabling residents to compare data across relevant peer groups.



Landlords should also be required to seek residents' views on key performance areas (STAR survey) which could then form part of the PIs. For example, how easy is it for residents to contact their landlord?

13. *Should landlords report performance against these key performance indicators every year? (para. 61)*

Yes. Annual reporting of performance data would reflect the frequency of other reporting mechanisms such as LAHS return etc.

14. *Should landlords report performance against these key performance indicators to the Regulator? (para. 61)*

Yes, and the Regulator should provide clear guidance on how and when they are measured and reported (I.e. similar to the approach taken by the Audit Commission).

15. *What more can be done to encourage landlords to be more transparent with their residents? (para.61)*

See responses to questions 12-18.

16. *Do you think that there should be a better way of reporting the outcomes of landlords' complaint handling? How can this be made as clear and accessible as possible for residents? (para. 63)*

Yes. And a KPI for performance on dealing with complaints would be welcome, as would the setting out of a consistent approach on how landlords should report their complaints.

Whilst comparisons between landlords would assist the Regulator, we are not sure how meaningful they would be for residents.

Landlords could make information about complaints handling available to residents online, through newsletters and annual reports. It is also helpful when reporting on complaints to identify any service improvements or policy changes that have been made in response.

17. *Is the Regulator best placed to prepare key performance indicators in consultation with residents and landlords? (para.66)*

Yes but with due consideration of any local/geographical/other factors that could skew results.

18. *What would be the best approach to publishing key performance indicators that would allow residents to make the most effective comparison of performance? (para. 66)*

The Regulator should publish a small number of simple PIs that are easily understood and can be used by all landlords. Comparison by size of organisation would be helpful and/or by publication within designated peer groups similar to those used by HouseMark.

19. *Should we introduce a new criterion to the Affordable Homes Programme that reflects residents' experience of their landlord? What other ways could we incentivise best practice and deter the worst, including for those providers that do not use Government funding to build?* (para.69)

Yes. The strongest performers could potentially take on a mentoring role to assist poor performers to improve. Possibly a recognised accreditation programme?

20. *Are current resident engagement and scrutiny measures effective? What more can be done to make residents aware of existing ways to engage with landlords and influence how services are delivered?* (para. 73)

They are effective to an extent, but for most landlords there remains the ongoing challenge of engaging with under-represented groups e.g. younger households.

Residents should be offered choice in how and when to engage with their landlords, ensuring that those who prefer a less formal means of engagement can also contribute. E.g. through readers' panels, digital surveys, social media, focus groups etc. Rewards schemes also provide helpful incentives.

Landlords should always consult with residents when implementing new services or making fundamental changes to existing services.

21. *Is there a need for a stronger representation for residents at a national level? If so, how should this best be achieved?* (para. 75)

Yes. Or perhaps regionally. This could be a role for TPAS or TAROE to develop.

22. *Would there be interest in a programme to promote the transfer of local authority housing, particularly to community-based housing associations? What would it need to make it work?* (para. 81)

We have no evidence to suggest that residents would be supportive of such a programme. But this being so, local accountability would be key. Large regional and national landlords are (rightly or wrongly) too often perceived as weak in this regard.

23. *Could a programme of trailblazers help to develop and promote options for greater resident-leadership within the sector?* (para. 81)

Perhaps the focus should be on ensuring that landlords deliver the type and quality of services that residents want; rather than promoting options for them to

take on service delivery directly.

*24. Are Tenant Management Organisations delivering positive outcomes for residents and landlords? Are current processes for setting up and disbanding Tenant Management Organisations suitable? Do they achieve the right balance between residents' control and local accountability? (para. 81)*

We have no evidence of the effectiveness or otherwise of TMOs. Focus instead on developing strong landlords and holding them to account.

*25. Are there any other innovative ways of giving social housing residents greater choice and control over the services they receive from landlords? (para.81)*

It should be recognised that choice of service is in fact limited within the sector and to suggest otherwise would be misleading. Measure landlords against clearly defined minimum standards, and provide residents with a means of comparing the performance of their own landlord against that of others.

*26. Do you think there are benefits to models that support residents to take on some of their own services? If so, what is needed to make this work? (para. 84)*

Residents pay for the services they receive and it should not be necessary for them to take on service delivery themselves.

*27. How can landlords ensure residents have more choice over contractor services, while retaining oversight of quality and value for money? (para. 84)*

Landlords should involve their residents in the procurement of services. I.e. producing/approving the specification; assessing tender submissions; interviewing contractors etc. This could be achieved through tenant involvement opportunities, such as scrutiny groups, tenant boards etc.

*28. What more could we do to help leaseholders of a social housing landlord? (para. 89)*

- Strengthen the ability of the landlord to enforce compliance
- Require that landlords offer the opportunity for all residents to engage
- Require that landlords know their communities. Many leaseholders sublet their properties, and landlords need to know who is living in them.

*29. Does the Regulator have the right objective on consumer regulation? Should any of the consumer standards change to ensure that landlords provide a better service for residents in line with the new key performance indicators proposed, and if so how? (para. 94)*

Yes. The suggestion at para 94 that the consumer regulation and standards identify a good service, and then relate this to the new KPIs is welcome.

The old KLOEs come to mind as examples of how this might work in practice.

30. *Should the Regulator be given powers to produce other documents, such as a Code of Practice, to provide further clarity about what is expected from the consumer standards? (para 95)*

Yes. This will be necessary to ensure consistency of service delivery.

31. *Is “serious detriment” the appropriate threshold for intervention by the Regulator for a breach of consumer standards? If not, what would be an appropriate threshold for intervention? (Para.99)*

Yes.

32. *Should the Regulator adopt a more proactive approach to regulation of consumer standards? Should the Regulator use key performance indicators and phased interventions as a means to identify and tackle poor performance against these consumer standards? How should this be targeted? (para. 100)*

Yes. Performance against KPIs should be monitored for issues of concern, with regulatory intervention as a last resort.

33. *Should the Regulator have greater ability to scrutinise the performance and arrangements of local authority landlords? If so, what measures would be appropriate? (para. 101)*

Regulatory scrutiny of social landlords should be consistent across the sector.

A greater emphasis on peer reviews could prevent the regulatory framework from becoming overly prescriptive; perhaps this is a process that the Regulator could develop?

34. *Are the existing enforcement measures set out in Box 3 adequate? If not, what additional enforcement powers should be considered? (para. 102)*

Yes.

35. *Is the current framework for local authorities to hold management organisations such as Tenant Management Organisations and Arms Length Management Organisations to account sufficiently robust? If not, what more is needed to provide effective oversight of these organisations? (para. 103)*

We are not well-placed to respond to this question due to an absence of any direct experience with either TMOs or ALMOs.

36. *What further steps, if any, should Government take to make the Regulator*

*more accountable to Parliament? (para. 106)*

There are not necessarily any further steps to take, but we would ask that the establishment of the Regulator as a Non-Departmental Public Body is a transparent process, with easily available information for both residents and landlords.

### **Tackling stigma and celebrating thriving communities**

*37. How could we support or deliver a best neighbourhood competition? (para. 117)*

Any neighbourhood event should be fully inclusive and recognise that the majority of communities are mixed. "Best neighbourhood" is a subjective term and will vary considerably within and between different communities. Care should be taken not to reinforce any stigma associated with social housing.

The Government should work with TPAS and other organisations who represent residents and who already run similar events.

*38. In addition to sharing positive stories of social housing residents and their neighbourhoods, what more could be done to tackle stigma? (para. 121)*

The Green Paper is contributing to the problem. Paragraph 18 acknowledges that two thirds of residents aspire to own their own home, and paragraph 23 notes Government programmes to drive up home ownership. As long as home ownership is presented as the only tenure of choice, social housing will always be stigmatised.

Social housing should be seen as desirable rather than the "first social service". Many households have no wish to take on the responsibilities of home ownership, yet the Government has for too long portrayed social housing as the last resort. It's time to start promoting the positive aspects of living in social housing.

There are a multitude of positive stories about social housing but many do not get further than the sector's own publications, which is to a large extent preaching to the converted. So positive stories need to reach a wider audience.

The stereotypical images of social housing that are portrayed in popular TV programmes also need tackling. Think EastEnders, Shameless, and assorted documentaries such as Benefits Street, which perpetuate the perceived links between social housing, crime, and long-term benefit dependency.

*39. What is needed to further encourage the professionalisation of housing management to ensure all staff deliver a good quality of service? (para. 123)*

Perceptions of whether a service is good or otherwise are frequently rooted in

basic customer care. Returning calls on time, replying to correspondence and being seen to take the time to listen are frequently cited examples of poor service.

All landlords should be able to demonstrate that customer service is at the heart of their business, and standards of customer care could be developed as part of the consumer regulation objective. Landlords should sign up to basic standards of customer service which include staff training to achieve professional qualifications through apprenticeships etc.

Some housing roles should also be restricted to those that have the relevant qualifications or are working towards them.

40. *What key performance indicator should be used to measure whether landlords are providing good neighbourhood management?* (para. 125)

It would be best measured from data gathered in surveys such as STAR, which draw out satisfaction with a cross-section of services. Neighbourhood management is not measureable by a single PI.

41. *What evidence is there of the impact of the important role that many landlords are playing beyond their key responsibilities? Should landlords report on the social value they deliver?* (para. 129)

Landlords routinely fulfil a role that goes beyond their key responsibilities but reporting on these activities would only be meaningful if the basis on which they were measured was consistent and transparent.

However, reporting on the social, economic and health benefits of these added value services would potentially be helpful in addressing the stigma associated with social housing.

42. *How are landlords working with local partners to tackle anti-social behaviour? What key performance indicator could be used to measure this work?* (para. 132)

Partnership working is fundamental to tackling ASB and landlords work closely with voluntary and statutory partner agencies. There are regular, formal mechanisms which are overseen by the Community Safety Partnerships, and they are complimented by a range of informal arrangements, for example with health agencies. Also, landlords will often work together to reduce ASB in shared communities.

In Winchester, the Council's Corporate Strategy includes performance measures around ASB which specifically relate to the use of legislative tools and powers to reduce reported ASB incidents; developing annual satisfaction surveys; and targeting hot spot locations. In addition, an annual crime & disorder strategic assessment is undertaken to review professional/statutory partner data which informs priorities in future delivery plans.

43. *What other ways can planning guidance support good design in the social sector?* (para. 138)

Good design should be consistent regardless of tenure, with no discernible difference between social and private housing.

44. *How can we encourage social housing residents to be involved in the planning and design of new developments?* (para. 141)

By encouraging landlords to obtain structured feedback from residents of new social housing schemes and by consulting with the local community at the design stage. Incentives could be offered in both instances.

### **Expanding supply and supporting home ownership**

45. *Recognising the need for fiscal responsibility, this Green Paper seeks views on whether the Government's current arrangements strike the right balance between providing grant funding for housing associations and Housing Revenue Account borrowing for local authorities* (para. 151)

The abolition of the HRA borrowing cap is particularly welcome and we are optimistic about what a combination of HRA borrowing and grant funding may deliver in the way of truly affordable housing. We also hope that restrictions on additional borrowing will be limited to compliance with Prudential Borrowing Code.

46. *How we can boost community-led housing and overcome the barriers communities experience to developing new community owned homes?* (para. 159)

We actively support the development of community-led housing, and are providing support and funding to a local CLT for the provision of new affordable housing.

47. *What level of additional affordable housing, over existing investment plans, could be delivered by social housing providers if they were given longer term certainty over funding?* (para. 169)

The lifting of the debt cap has the potential to free up capacity for further building.

48. *How can we best support providers to develop new shared ownership products that enable people to build up more equity in their homes?* (para. 193)

Just invest in housing. The tenure will change throughout the lifetime of the property, and what was built as a council house may eventually become privately owned and thereafter privately rented.

Appendix 2

**Review of Social Housing Regulation**

**Call for Evidence August 2018**

**Principles of Regulation**

1. *We would welcome information on whether the current statutory objectives, and monitoring and enforcement powers are right, whether they need amending, and if so, how. (para. 11)*

The current statutory objectives generally appear to be fit for purpose.

The monitoring and enforcement of the economic standards will probably need to be reviewed in light of private registered providers' increasing exposure to markets; and also the increasing complexity of the larger providers that are emerging from the merger process.

The four outcome-based standards that underpin the consumer regulation objective will need updating to reflect ambitions in Green Paper, and reflect new measures in relation to, for example, resident safety, resident engagement and responsible neighbourhood management.

If the Regulator is to collate and analyse performance data for publication, how will it respond to what the data reveals? For example, If AHP funding is to reflect residents' experience of their landlord, how (and what) will penalties be implemented for the worst performers? (GP para 67). If landlords are eventually required to report on social value, what will the implications be for regulation?

The regulatory regime may need to become far more hands on, which will have significant resource implications.

2. *We would welcome information on whether the "regulated self-assurance" approach to regulation of social housing is the right approach. If not, how should it be changed? (para.13)*

Fundamentally, yes. But what has been sufficiently "proportionate and risk-based" so far may not be adequate for the future given the rate that the sector is evolving.

The Green Paper suggests that the Regulator be given powers to produce other documents such as codes of practice, and this would be one way to promote self-regulation against published standards.

**Economic Regulation**

3. *We would welcome information on the effectiveness of the current approach to economic regulation (para. 16)*



We have no evidence to suggest that the current approach to economic regulation has been ineffective, but wonder whether the increasing instances of viability downgrades bring implications for the Governance & Financial Viability Standard?

4. *We would welcome information on any areas of the economic regulatory framework which might not work effectively or provide sufficient oversight when meeting the challenges of the evolving sector (para. 18)*

Does the economic regulatory framework provide the Regulator with sufficient oversight of the increasing emphasis on non-regulated activities? And the impact this could potentially have on “business as usual”? For example, new ventures through unregulated subsidiaries, JVs and SPVs.

### **The Regulatory System as a Whole**

5. *We would welcome information on any specific issues that we should be aware of as the review progresses, to ensure that we retain a coherent regulatory framework (para. 23)*

Please see responses to previous questions.

6. We would welcome information on any risks arising from improving the approach to consumer regulation enforcement (para. 24)

Potential risks might include:

- An overly complex suite of KPIs
- Dependency on an unnecessarily prescriptive (and costly) regulatory framework that discourages ownership and accountability for decisions.

### **Relationship with the Hackitt Review**

7. *What are your views on risks and opportunities presented by the regulatory regime suggested by Dame Judith Hackitt and how that should work with social housing regulation? (para. 27)*

The recommendations made by the Hackitt Review are supported, as are proposals in the Green Paper to engage with residents on safety. But could some of the recommendations in respect of higher-risk residential buildings of 10 or more storeys also be applied to other buildings where there is risk? For example, some types of supported housing or hostel accommodation?

### **Any Other Suggestions for Improvement**

8. We would welcome any further information that might inform the review of the regulatory framework (para. 28)

N/A.